

Appl. No. 09/539,749
RCE/Reply Filed: 19 October 2006
Reply to Final Office Action of 10 February 2006

REMARKS

In response to the Office Action of 10 February 2006, the Applicant submits this Reply. In view of the foregoing amendments and following remarks, reconsideration is requested.

Claims 1-6, 9, 11-12, 14 and 25-30 remain in this application, of which claims 1, 6, 9, 12 and 25 are independent. No fee is due for claims for this amendment.

Rejections of Claims 1-6, 9, 12, 25 and 27 Under 35 U.S.C. §103

Claims 1-6, 9, 12, 25 and 27, of which claims 1, 6, 9, 12 and 25 are independent, were rejected under 35 U.S.C. §103 in view of Escobar¹ and Wittenburg². This rejection is respectfully traversed.

As noted in a prior Reply, according to Escobar, as shown in its Fig. 1, a "Video Time Line" 140 and 141 and a "Program Object Time Line" 160 are used to specify a multimedia program. The Action continues to assert that the "specification" 400 referred in r1 is similar to the *specification* as claimed, or a "specification for the multimedia presentation." However, Escobar uses the term "specification" merely to refer to an early step in designing and prototyping a reusable computer program object³ for which computer program code is to be written.⁴ "To develop a program object, first, a specification (400) for the object is prepared."⁵ Additionally, the equating of Escobar's computer "program object timeline" to *one or more tracks for nontemporal media* is in error, in that Escobar itself distinguishes its media (assets) from its program objects⁶, which "enable a non-programmer to achieve functionality which would otherwise require development by software engineers."⁷ Escobar lists⁸ numerous examples of the functionalities provided by executing its computer program objects. Clearly, such program objects are not equivalent to the recited *nontemporal media*, such as still images, text, hypertext documents, and the like.

¹ U.S. Patent 5,659,793 to Escobar *et al.*

² U.S. Patent 6,515,656 to Wittenberg *et al.*

³ Escobar, col. 8, ll. 30-31.

⁴ Escobar, col. 8, ll. 49-67.

⁵ Escobar, col. 8, ll. 56-57.

⁶ Escobar, Abstract, *and* col. 4, ll. 2-11.

⁷ Escobar, col. 8, ll. 32-34.

⁸ Escobar, col. 8, ll. 37-42.

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As admitted in the Action, Escobar fails to disclose a *layout specification defining a spatial relationship among the temporal and nontemporal media in a display area*, as recited in claim 1. However, the Action points to a passage of Wittenburg as disclosing “controlling the spatial relationships of the display of the media objects.”⁹

According to Wittenburg, the techniques described therein “are capable of using a number of different spatial layout techniques and transitions for rendering individual multimedia data items to be presented in a particular presentation area.”¹⁰ The layout techniques provide a way to “[view] and [select] information by incorporating imagery and other media, as well as text, that uses a hierarchical organization, and deploys controls for speed and direction of information presented.”¹¹ The various figures 6-10 merely illustrate different hierarchical organizations of user controls, a menu area and a presentation area, rather than use of a *layout specification* to control and allow user specification of the spatial layouts.

In contrast, independent claim 1 recites that *the layout specification indicates, for each track of the one or more first tracks and one or more second tracks, a portion of the display area in which media from the track will be displayed*. Similar limitations regarding a *layout specification* are found in independent claims 6 and 9. In independent claims 12 and 25, the term *layout specification* is not used, however, the claims recite a similar limitation in the *an indication for each track in the timeline a portion of the display area in which media from the track will be displayed*.

Wittenburg merely discloses a number of possible designs of a combination of user controls, menus and presentation areas. These designs are not a *layout specification* of the claimed invention that specifically relates *tracks* in a multimedia presentation being edited to defined *display areas* within a display. In the “Response to Arguments” section on page 10 of the Action, it is asserted that “Escobar discloses use of the specification. Wittenburg teaches use of the specification to define spatial relationships between multimedia objects on a display.” (emphasis added) As noted above, “the specification” referred to in Escobar merely relates to the development of a program object, and in no way relates to *the spatial relationships of temporal or nontemporal media in a display area*. And Wittenburg (in which, notably, the term

⁹ Office Action, page 4, ll. 7-8.

¹⁰ Wittenburg, col. 14, ll. 39-42.

¹¹ Wittenburg, col. 2, ll. 19-24.

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specification fails to appear) merely illustrates examples of different hierarchical organizations of user controls, a menu area and a presentation area, similarly fails to teach the claimed *layout specification*. Thus, the assertion that Wittenburg teaches using “the” *specification* of Escobar (one of the executable computer program objects) to define *spatial relationships* between multimedia objects on a display is unsupported by evidence (any teaching, suggestion or motivation) as to how or why one would make such a combination to derive the claimed *layout specification*.

Accordingly, the independent claims are distinguished from any combination of Escobar and Wittenburg and the rejection of the independent claims 1, 6, 9, 12 and 25 under 35 U.S.C. §103 in view of Escobar and Wittenburg is traversed. The remaining claims are dependent claims that are allowable over Escobar and Wittenburg for at least the same reasons.

Moreover, regarding claim 6 and dependent claim 27, which includes a limitation of a *table of contents track*, the Action relies on Escobar’s teaching that “at least one interactive object track 160 should be included.”¹² The Action also refers to column 4, lines 17-25 and 27-29 of Escobar, which indicate that an EDL or IDL, which capture the editing decisions of the user of the tool, can be executed to play back the multimedia application. As indicated in the Applicant’s prior Reply, the *table of contents track* as claimed specifically includes *nontemporal media including one or more elements comprising one or more characters, each associated with a point in time on the table of contents track*, which Escobar fails to disclose. However, in light of the “Response to Arguments” discussion of the Examiner’s interpretation of claims 6 and 27, these claims have been amended to clarify that the *table of contents track includes at least a portion of the nontemporal media*. In use, the *table of contents track* is claimed as follows: *wherein selection by the user of the displayed characters of the one or more elements in the table of contents track initiates display of the temporal and nontemporal media from the point in time of the selected element*.

Additionally with respect to claims 6 and 27, equating Escobar’s “interactive object track”, EDL or IDL to the claimed *table of contents track* is improper. An EDL or an IDL defines what the multimedia presentation is, and therefore is neither a *track*, nor more specifically a *table of contents track* having *selectable elements*, in the multimedia presentation.

¹² Escobar, col. 6, ll. 26-28.

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According to Escobar, "[t]he IDL is essentially an ASCII text file and can be read and edited as such."¹³ Moreover, in reply to the "Response to Arguments" discussion on pages 11-12 of the Action, Applicant indicates, as claimed, that *selection by the user of the displayed characters of the one or more elements in the table of contents track initiates display of the temporal and nontemporal media*, which are previously defined to be in *one or more first tracks and one or more second tracks*, respectively. Thus, selecting an element of the *table of contents track* initiates display of the temporal and nontemporal media present in multiple, distinct tracks. This is not the case with Escobar's single interactive object track.

Accordingly, the rejection of claims 6 and 27 under 35 U.S.C. §103 in view of Escobar and Wittenberg also is traversed for this additional reason.

Rejection of Claims 11, 14, 26 and 28 Under 35 U.S.C. §103

The remaining dependent claims 11, 14, 26 and 28-30 were rejected under 35 U.S.C. §103 in view of Escobar, Wittenberg and Gill¹⁴. This rejection is respectfully traversed.

To the extent that this rejection relies on the rejection of the independent claims 9, 12 and 25 based on Wittenberg and Escobar, the rejection is traversed for the reasons noted above.

It is noted in the Action, "Escobar and Wittenburg fail to disclose the use of a *time bar* to manipulate the media timelines"¹⁵, but then, in the "Response to Argument", new weight is given to Escobar by asserting that Escobar's "timelines" are equivalent to the claimed *time bar associated with the timeline and manipulable by a user to specify times on the timeline for presenting the temporal and nontemporal media as output*. Such an interpretation of elements 140 and 141 is inconsistent with the Action's earlier (pages 3,6) interpretation of elements 140 and 141 as also being equivalent to the claimed *media timelines* of claims 9, 12 and 25, from which claims 11, 14 and 26 respectively depend. An element cannot logically be both a timeline and a timebar associated with the timeline. Moreover, Escobar's disclosure of dragging and dropping an object into a timeline merely orders or arranges the object in a desired temporal sequence in a timeline, and does not specify time(s) along the timeline for output of both the

¹³ Escobar, col. 10, 46-47.

¹⁴ U.S. Patent 6,081,262 to Gill *et al.*

¹⁵ Office Action, page 7, par. 17.

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temporal media on one or more first tracks and nontemporal media on one or more second tracks.

To the extent that the Action still relies on Gill, Applicant indicates that, according to Gill, a "multi-media page layout," an example of which is shown in Fig. 2, may be defined by a user.¹⁶ In Gill, "multiple objects are placed on a page, with these objects having different characteristics."¹⁷ In the example shown in Fig. 2 of Gill, a "path PL . . . has an initiation point IP and a terminating point TP, which path PL is of arbitrary extent, length and geometry. . . . The path PL represents a motion definition for a[n] object having some content, which object is tied to the path."¹⁸ Thus, Gill's path in Fig. 2 is not a claimed "time bar" as recited in claims 11, 14 and 26.

Accordingly, the rejection of claims 11, 14 and 26 based on Escobar and Wittenberg further in view of Gill is traversed. Also in the example shown in Fig. 2 of Gill, a "movie object MB" is specified by an author, "into which is imported a movie."¹⁹ However, the capability of an author to add a movie object to a page in Gill is not the same as the claimed "display area" that "is divided into a plurality of frames" where "each of the plurality of frames is assigned to one of the first or second tracks of the timeline." Accordingly, the rejection of claim 28 based on Escobar and Wittenberg further in view of Gill is traversed.

Regarding claims 29 and 30, these claims are further dependent on dependent claim 28 and are allowable for at least the same reasons. Furthermore, the rejection of these claims is based primarily on Wittenberg. According to Wittenberg, a user interface component may include Java Scripts or dynamic HTML files.²⁰ As each of these claims recites the *layout specification* that, as noted above, is neither taught nor suggested by the cited art, claims 28-30 are patentable over the cited art. Thus, no *markup language document defining the layout specification* is taught or suggested either.

Accordingly, the rejection of claim 29 is traversed. Claim 30 is dependent on claim 29 and is allowable for at least the same reasons.

¹⁶ Gill, col. 9, ll. 57-59.

¹⁷ Gill, col. 9, ll. 61-62.

¹⁸ Gill, col. 10, ll. 22-26.

¹⁹ Gill, col. 10, ll. 11-12.

²⁰ Wittenberg, col. 4, ll. 36-38.

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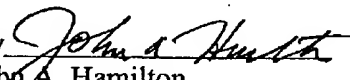
CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876**.

Respectfully submitted,

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